


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION AT MEMPHIS

FILED BY  D.C.

05 AUG 23 AM 6:53

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

MARY BOYKIN, and)
GEORGE BOYKIN, Husband,)
)
Plaintiffs,)

v.)

CIVIL ACTION NO. 05-2412 DV


)
WAL-MART A.K.A. WAL-MART)
SUPERCENTER, WAL-MART)
STORES, WAL-MART REAL)
ESTATE BUSINESS TRUST, and)
JANE and/or JOHN DOE(S),)
)
Defendants.)

**CONSENT ORDER PERMITTING PLAINTIFFS TO AMEND
COMPLAINT TO NAME WAL-MART STORES EAST, L.P. AS DEFENDANT AND
DISMISS WITHOUT PREJUDICE ALL REMAINING WAL-MART DEFENDANTS**

It appearing to the Court, as evidenced by the subjoined consent of legal counsel for both
the Plaintiffs and the Defendants, that:

- (a) Wal-Mart a/k/a Wal-Mart Supercenter, Wal-Mart Stores, Wal-Mart Real Estate
Business Trust and Jane and/or John Doe(s) are improperly named parties in this cause;
and
- (b) The proper entity name for the Defendant is Wal-Mart Stores East, L.P.

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that the Plaintiffs be
permitted to amend their Complaint to name Wal-Mart Stores East, L.P. as the proper Defendant
in this matter.

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 




IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Wal-Mart a/k/a Wal-Mart Supercenter, Wal-Mart Stores, Wal-Mart Real Estate Business Trust and Jane and/or John Doe(s) are hereby dismissed without prejudice.


All of which is hereby so ordered this 22 day of August, 2005.


U.S. DISTRICT COURT JUDGE

APPROVED FOR ENTRY:

BAKER, DONELSON, BEARMAN
CALDWELL & BERKOWITZ, P.C.


Clinton J. Simpson, Esquire, BPR # 20284
Attorney for Defendant Wal-Mart Stores East, LP
and Best Western International, Inc.
165 Madison Avenue, Suite 2000
Memphis, Tennessee 38103
(901) 526-2000


Robert M. Brannon, Jr.
Attorney for Plaintiffs
Mary Boykin and George Boykin
295 Washington Avenue, Suite 3
Memphis, Tennessee 38103



Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 2:05-CV-02412 was distributed by fax, mail, or direct printing on August 25, 2005 to the parties listed.

Robert M. Brannon
LAW OFFICE OF ROBERT M. BRANNON
295 Washington Avenue
Ste. 3
Memphis, TN 38103

Clinton J. Simpson
BAKER DONELSON BEARMAN & CALDWELL
20th Floor
165 Madison Avenue
Memphis, TN 38103

Jimmy Moore
CIRCUIT COURT, 30TH JUDICIAL DISTRICT
140 Adams Ave.
Rm. 224
Memphis, TN 38103

Honorable Bernice Donald
US DISTRICT COURT